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ABSTRACT

This survey of 50 states and 3 of 10 non-state U.S. jurisdictions concerning state due process procedures focuses mainly on the use of mediation as a form of dispute resolution that offers an alternative to due process hearings in special education. A background section discusses the definition of mediation and the mediation process. Survey findings that are discussed include the prevalence and duration of state mediation systems, timelines, mediators, funding, the involvement of attorneys, number of mediations held for the years 1991 through 1993, and mediation effectiveness. Statistics are provided on the number of mediations held from 1991 through 1993 by state; the percentage of mediations not resulting in agreement; the number of due process hearings requested, held, and appealed for 1991 through 1993; design of systems as one-tiered (single hearing process provided by the state) or two-tiered (local initial hearing with state-level appeal); and timelines in due process systems. Opinions of state personnel favored the use of mediation as an effective mechanism for implementing the procedural safeguards of federal special education statutes, but felt that the opportunity for due process should be kept in place. The paper recommends the compilation of national data on due process procedures, and training of educators in dispute prevention. Appendixes provide a copy of the survey form and a list of state contacts. (Contains 20 references.) (JDD)

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MEDIATION AND DUE PROCESS PROCEDURES IN SPECIAL EDUCATION:

AN ANALYSIS OF STATE POLICIES

by Eileen M. Ahearn, Ph.D.

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ABSTRACT

This report contains an analysis of data gathered by the National Association of State Directors of Special Education in the spring of 1994. Responses to the *Survey on Selected Features of State Due Process Procedures* were received from all 50 states and from three of the 10 non-state jurisdictions of the United States.

The focus of this report is mainly on the survey results related to the use of mediation as an alternative form of dispute resolution in special education. Findings that are discussed include the prevalence and duration of state mediation systems, timelines, funding, the involvement of attorneys, and incidence data for the years 1991, 1992 and 1993. The evaluation of mediation systems is examined in terms of published research and materials provided by survey respondents.

Survey findings on the topic of due process hearings are briefly presented. Data is given for the number of hearings requested, hearings held and appeals to court for the years 1991, 1992 and 1993, the type of system (one-tiered or two-tiered), and the timeline for appeals reported by each state.

FOREWORD

This report is the result of a study done under Project FORUM, a contract funded by the Office of Special Education Programs of the U. S. Department of Education and located at the National Association of State Directors of Special Education (NASDSE). Project FORUM carries out a variety of activities that provide information needed for program improvement, and promote the utilization of research data and other information for improving outcomes for students with disabilities. The project staff also provides technical assistance and information on emerging issues, and convenes small work groups to gather expert input, obtain feedback, and develop conceptual frameworks related to critical topics in special education.

The purpose of this analysis is to provide an understanding of current state policy and practice in the use of mediation and other aspects of due process procedures in states. It was undertaken as part of Project FORUM's work during the second year of the contract.

In addition to this analysis, Project FORUM also contracted with Gloria T. Symington, formerly of the Connecticut State Department of Education, to write a synthesis on the topic of mediation in special education. Ms. Symington was in charge of mediation services for that agency for over 12 years starting in 1981. She also provided training and conference presentations throughout the country on the topic during that time, and continues to provide consultation services related to due process procedures in Connecticut and many other states.

Because the Symington synthesis is a detailed overview of the topic, this analysis, based on data from a survey conducted by National Association of State Directors of Special Education (NASDSE), does not provide extensive background details on the meaning and history of the use of mediation in special education. A copy of the synthesis is available from NASDSE at 1800 Diagonal Road, Suite 320, Alexandria, VA 22314.

MEDIATION AND DUE PROCESS PROCEDURES: AN ANALYSIS OF STATE POLICIES

INTRODUCTION

In the process of designing an appropriate program for a student eligible for special education under the Individuals With Disabilities Education Act (IDEA), many different types of informal negotiation go on to settle differences between and among school personnel, parents and other professionals involved with the child. If the differences that develop are beyond the capacity of the participants to solve, the due process provisions of the *Procedural Safeguards* section of the IDEA [34 CFR 300.506-515] can be invoked to involve a third party in settling the dispute through a due process hearing.

The due process hearing is the primary component of the procedural safeguards in IDEA. Since the passage of the IDEA (originally known as the Education for All Handicapped Children Act) in 1975, criticisms of the hearing process have steadily increased. The National Council on Disability in its report on the education of students with disabilities emphasized that due process hearings are costly and have an emotional toll as well (National Council on Disability, 1989). A study of parents and school officials who participated in due process hearings in Pennsylvania found little positive feelings about the experience. (Goldberg and Kuriloff, 1991). Similar findings have been indicated for other states (Budoff and Orenstein, 1985). In a recent article, Zirkel (1994) specified the major problems with the due process hearing: it has become unduly time consuming and open-ended, it is overly adversarial, the costs are excessive, and parents perceive the process as unfair.

Mediation, a less formal strategy involving third-party facilitation of dispute resolution, has been cited by all the critics as an attractive and viable alternative to the due process hearing. Part B of the IDEA mentions mediation only in a brief *Note* following the due process hearing section of the Regulations [34 CFR 300.506]. It mentions the success some states have found in using mediation and advises that an agency may wish to suggest the use of mediation. The note adds the observation that, in many cases, mediation leads to resolution of differences between parents and agencies without the development of an adversarial relationship and with minimal emotional stress. The paragraph concludes with a warning that mediation may not be used to deny or delay a parent's rights under the due process section. Regulations under Part H of the IDEA that covers programs for infants and toddlers with disabilities make a similar recommendation concerning mediation, adding the note that an infant's or toddler's development is so rapid that undue delay could be potentially harmful [34 CFR 303.420, *Note 2*].

Although mediation is only permissive under special education legislation, it has been used frequently as a successful alternative to the due process hearing. States have created systems and adopted regulations to foster its use. With the pending reauthorization of the IDEA in 1994-95, interest in this alternative strategy is steadily escalating. To inform this deliberation, the National Association of State Directors of Special Education (NASDSE) surveyed all the states in the spring of 1994 to gather information on current state policies and practices in mediation as well as some statistics on due process hearings. Data used in this study includes specific responses to the items on that survey plus additional materials submitted with the response by most states such as copies of laws and regulations and documents describing their programs. This report contains an analysis of that data.

The remainder of this report consists of a brief background on the topic of mediation in special education, an examination of the survey data organized by the major components and characteristics of the mediation process, a summary of the survey results on items pertaining to due process hearings, and a discussion of issues related to the data.

BACKGROUND

Definition of Mediation

The National Institute for Dispute Resolution includes a clear definition of mediation in a flyer describing their work: "Mediation is a process in which a neutral third party skilled in identifying areas of agreement assists disputants in reaching a negotiated settlement of differences on their own rather than having outsiders impose a settlement." In mediation, the participants agree to work out a solution of their differences using the help of an objective individual who has not been involved in the dispute. The definition used by The Justice Center of Atlanta, Inc., a well established organization that provides mediation services and training, is similar describing mediation as "a confidential dispute resolution process to determine the appropriate individual and collective outcomes via the able assistance and skills of a trained, impartial third party with no vested interest in the decisions which result" (Primm, 1988, p.1).

States use a variety of terms in their definitions of mediation that they submitted as a response to the first item on the survey. For example, Connecticut's "Guide for Participants" defines mediation as "a flexible, informal way of resolving differences through understanding and/or compromise of the differing viewpoints." The descriptor "non-adversarial" is added to the definition by Delaware, with the notation that mediation is "more structured than a parent conference, but less formal than a due process hearing." Florida uses similar terminology and states that a mediator "works with the parties to guide them toward a mutually satisfactory solution that meets the best interests of the student."

Some states have developed flyers and other information brochures to define and describe their mediation programs. Some examples are "MNSEMS" that describes Minnesota's Special Education Mediation Service, "Idaho Mediation" that suggests "a closer look" at mediation to resolve disputes in special education, and Oregon's "When Push Comes to Shove," that recounts how that state's mediation process can help solve conflict between parents and schools. Other states have developed even more extensive materials about their systems: with the assistance of the Mountain Plains Regional Resource Center, Montana has developed a variety of flyers and a booklet that explains the process of mediation and contains copies of the forms used in that state; Nevada has a similar document developed with the help of the Western Regional Resource Center; Arizona has a detailed "Training Manual" on special education negotiation and mediation skills; Nevada, South Carolina and Florida have written materials that describe the mediation process and the role of the mediator.

The Mediation Process

Most formal mediations follow a similar process, beginning with a joint session at which the mediator describes the role of the mediator, introduces the procedures to be followed, and the parties give a brief summary of the issues as they see them. The mediator then meets separately with each side to identify the issues, re-examine premises, reframe dilemmas, encourage generation of new options, and work on a settlement. Often, the mediator will draft an agreement on the basis of these individual sessions and a joint meeting concludes the process. If there is no developed agreement, the mediator may provide a list of outstanding issues as they were revealed during mediation for use in subsequent due process steps.

The process of mediation is, by its nature, a voluntary one. The participants must actively engage in devising a solution that could involve concessions or compromises to reach a solution. The Office of Special Education Programs (OSEP) and the Office of Civil Rights (OCR) of the Department of Education, whose job it is to enforce legislation pertaining to students with disabilities, have reinforced the requirement that mediation be voluntary. Massachusetts Special Education Regulations originally mandated mediation as a "first step" in the appeal process. This provision was cited as a violation by OCR in 1986 [OCR Letter of Finding, *EHLR* 352:313 (1986)] and the regulations and procedures were changed. Similarly, Arkansas originally had a required prehearing conference to clarify the issues and offer the opportunity for mediation as a part of their due process procedures. A 1991 federal monitoring team cited Arkansas for a violation on the basis of that requirement and it was subsequently changed. The strength of the requirement that mediation be voluntary was expressed by OSEP in its letter to Senator Bentsen who had suggested that mediation be made mandatory. The reply clearly states that any change in the voluntary nature of mediation would require a statutory change [Letter to Bentsen, *EHLR* 213:245 (1989)].

Some states use more than one kind of mediation. Hawaii noted that informal mediation with the district superintendent is available in addition to formal mediation with the Neighborhood Justice System. In California, there is a specific mediation request that can be filed, but mediation is also available as a component of the hearing process. About 90 per cent of California's requests for due process hearings are settled prior to the hearing stage mostly as a result of the mediation system.

Iowa also has another level of mediation referred to as a "pre-appeal process" that has as its overall intent that it "lead to mutually agreed upon solutions and reduction of the need for formal special education appeals." The state has set up this informal review process through the Consumer Relations section of the Iowa Department of Education. Department personnel feel that this informal program plus other efforts in facilitating communication among all parties are important factors in settling disputes in addition to their successful formal mediation process. In all of these variations of the mediation process, it is always noted that participation is voluntary and is not intended to delay or deny due process rights.

METHOD

The data for this study was gathered by NASDSE through a survey instrument (see Appendix A) sent to all states in the spring of 1994. The survey solicited information and statistics and, in the case of some items concerning mediation, requested that additional material be attached. The form was divided into two parts: mediation and due process hearings. Although state mediation systems constitute the major focus of this study, information has been included on the findings related to due process hearings since mediation is a part of the overall procedural safeguards program that has due process hearings as its main component.

Survey responses were received from all 50 states and from three of the 10 jurisdictions of the United States that are subject to the federal requirements in special education. Since many of the conditions in the jurisdictions differ greatly from the general situation within the states, the findings from those three entities are described separately.

Item responses were summarized on a spreadsheet to facilitate analysis. Some of the analysis was done in terms of the size of the states. NASDSE's criterion for dividing the states into size categories was used:

- a) those designated as *large* are the members of the self-defined group of the largest states that have formed a subgroup known as the Pak 7 that meets regularly to discuss common issues and needs. They are California, Florida, Illinois, New York, Ohio, Pennsylvania and Texas;

- b) states considered to be *small* are those states that received less than \$9 million under Part B of IDEA for 1994. They are Alaska, Delaware, Hawaii, Idaho, Montana, Nevada, New Hampshire, North Dakota, Rhode Island, South Dakota, Vermont and Wyoming.
- c) all those not included in the large and small groups are considered *medium*, and they are Alabama, Arizona, Arkansas, Colorado, Connecticut, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Utah, Virginia, Washington, West Virginia, and Wisconsin.

FINDINGS: MEDIATION

Prevalence and Duration of Mediation Systems

Of the 50 states, a total of 39, or 78 percent, operate special education mediation systems. This finding shows an increase over the 70 per cent that reported active state systems in a previous NASDSE survey (Sykes, 1989).¹ All the states that reported they were developing a mediation capacity in 1989 - Delaware, Maryland, New York and Vermont - now have a state system.

The 11 states that do not currently have a state mediation system in place are: Alaska, Kansas, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Virginia, Washington, West Virginia and Wisconsin. Two of these states - Nebraska and Washington - are in the process of developing formal mediation systems, both scheduled to begin in the 1994-95 school year. Nebraska already has a State Office of Dispute Resolution that offers low cost services through county centers, and the Special Education Office is using focus groups to help develop a mediation system for disputes involving students with disabilities. In Washington, mediators have already been trained and the system is being designed. The New Mexico State Department of Education has also become more directly involved in mediation by offering training for mediators and providing a list of those who met the qualifications.

As illustrated in Table 1, the most intensive development of state mediation systems occurred in the late 1980s. The first two state mediation systems were implemented in

¹Results from the current study are not exactly comparable to the 1989 study that reported no response from four states and included data from the District of Columbia and the Bureau of Indian Affairs in its statistics. In addition, three states - Alaska, New Mexico and North Carolina - were reported to have mediation systems in 1989, but data from the current study shows that those states have only informal procedures available.

Connecticut and Massachusetts in 1975, and the latest two entries are the Delaware system started in February, 1994 and South Carolina whose initiation date is July, 1994.

Table 1
Implementation of State Mediation Systems

YEARS	STATES
1975-79	CT, MA, WY, AR, LA, IA
1980-85	CA, NJ, IL, NH, OH, AL, GA, OR, ND, RI, ME
1986-90	KY, MI, NV, OK, PA, TX, AZ, NY, TN, UT, HI, ID, IN, MD, SD, VT
1991-94	MT, CO, FL, MN, DE, SC

Source: Responses to Item 2 of the *Survey on selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

Most of the states without formal mediation systems have some form of mediation occurring. For example, according to Alaska statutes, the hearing officer must conduct an informal prehearing settlement conference and attempt to resolve the disagreement. Kansas and West Virginia procedures contain recommendations similar to the IDEA suggestion about the use of mediation, and New Mexico identifies mediation as an option in their state standards for special education, but responsibility to develop policies and procedures remains at the district level. North Carolina encourages the use of mediation, but stresses that it must be informal. Wisconsin provided a report of due process statistics that revealed informal mediation as the source of settlement in five cases in 1991 and six cases in 1992. Virginia also noted in its Annual Report for 1992-93 that many special education disputes are settled through less formal means such as negotiation, but remarked that the percentage of settled cases was in decline.

Mediation Timelines

The survey asked states if their timelines for mediation were separate from due process hearing timelines. The responses were split evenly between affirmative and negative. A number of states commented on their answer: Illinois said the timelines can occur separately or simultaneously; New Hampshire said mediation timelines are not separate if a due process hearing has been requested; Nevada has a 21 day timeline for mediation that may not be used to delay a due process hearing; and, Wyoming and South Dakota mentioned that mediation timelines are included within due process hearing timelines.

Mediators

States named a wide variety of acceptable affiliations for individuals who perform the role of mediator. Table 2 contains the responses to this survey item from states that have mediation systems. Some states commented on the requirements for those individuals who were engaged on a contract basis, listing backgrounds in education and/or law as a prerequisite. Massachusetts mentioned that the state has seven full time mediators working for an independent bureau, the Bureau of Special Education Appeals housed in and funded through the State Department of Education. Michigan's mediation system is operated through a contract with a third party who manages the system. In Utah, a district may use SEA personnel or contract with a private individual for mediation services.

Table 2
Affiliation of Mediators

Affiliation	States
State Education Agency Employees	AL, AR, CT, IA, IL, ME, MA, NJ, OH, RI, UT
Contracted organizations or individuals	CA, CO, DE, HI, ID, IN, MI, MT, NY, ND, PA, RI, SD, TX, UT, VT
Any impartial individual trained in mediation	AZ, FL, GA, KY, LA, MN, NH, OK, OR, SC, TN, WA, WY

Source: Responses to Item 4 of the *Survey on selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

There are differences of opinion in the field concerning the best type of affiliation for mediators. Some individuals hold the opinion that, since the most critical component of mediation is the relationship between and among the parties, the clearer the neutrality of the mediator, the better the chance for mediating successfully. These individuals feel that mediators should not be employed by the SEA because they may be perceived as too closely connected with the school systems. However, there is no information available that reflects any evidence for or against the use of SEA mediators.

Only 22 states—slightly more than half the states that have mediation systems—have written qualifications for mediators. Six states—Florida, Georgia, Kentucky, Montana, North Dakota and South Dakota—mentioned that their mediators are trained and certified by the Justice Center of Atlanta, Inc. (JCA). There is, however, no nationally recognized

certification for mediators. The prerequisite skills for mediators mentioned in survey responses included such desirable personal qualities as interpersonal and problem solving abilities, patience, integrity, compassion, a tolerance for frustration, a concern for justice and fairness, respect for sensitivities and confidentiality, sincerity, and proficiency in maintaining impartiality. Although a knowledge of special education was mentioned as an essential credential, specific degree requirements were not always included. Some states include parents and other community members in their roster of mediators.

Some type of initial training was required by all state mediation systems, and most provided formal or informal periodic inservice to update and upgrade the skills of mediators. Structured training programs have been offered by JCA, by state department personnel for their own mediation staff, and on a national basis by a few individuals who are well experienced in the field. Examples of the latter include Art Cernosia of the New England Regional Resource Center, Art Stewart of the Massachusetts Department of Education, and Gloria Symington, formerly of the Connecticut Department of Education. In addition, some states have developed training materials such as Arizona's *Special Education Negotiation and Mediation Skills Training Manual*.

Funding of Mediation

Federal policy on the use of federal funds to finance mediation is contained in a policy letter issued in 1991 [Letter to Pearson, 18 IDELR 279]. It notes that mediation is not identified specifically as an allowable expense according to the regulations governing the expenditure of funds under federal grant programs. It explains that mediation can, however, be considered a support service in the implementation of the requirements of Part B of the IDEA. Therefore, the use of discretionary grant funds for the reimbursement of mediation fees is permissible.

According to survey responses, Part B funds are the most common source of financial support that states use for mediation. In some cases—Connecticut, Illinois and Oklahoma are examples—both state and federal funds are used to cover mediation costs. Some states use both Part B and Part H (infants and toddlers program grants) IDEA funds, while Delaware uses funds available under ESEA Chapter 1. Only five states reported using state funds as the sole source of support for their mediation systems. Local district funds also sustain mediation services in some states. For example, the Michigan Special Education Mediation Services charges a \$400 fee to the school district involved in each mediation to offset some of the direct mediation costs; and, mediators' fees are paid by local school districts in Kentucky, Oregon and South Carolina.

In all states that have mediation systems, some section of the Department of Education supervises or monitors the system. In Oklahoma, the Administrative Office of the Supreme Court administers a state mediation system that mediates all types of disputes. The Department of Education collaborates with that agency on training for special education issues.

Involvement of Attorneys/Advocates in Mediation

The survey inquired about the representation of parents and local education agencies (LEAs) by attorneys and advocates in mediation sessions. The overwhelming response was "sometimes" for all three items. There were only two exceptions—Utah and South Dakota. The Utah respondent noted that, with only one exception, schools are always represented at mediation sessions by attorneys, and that parents are always accompanied by both an attorney and an advocate. The one case described as an exception in Utah involved an agreement made by the parties that no attorneys would be present. The South Dakota response indicated that parents are always represented by advocates, although attorneys appear for the parties only sometimes. There is also a unique situation in California: the law specifically prohibits attorneys or other independent contractors who provide legal advocacy services from participating in a "pre-hearing request mediation." These representatives may, however, participate in any stage of the hearing process including mediation that occurs after a due process hearing has been requested.

The use of legal representation in the mediation process is controversial. One extensive study of mediation in Massachusetts described the functioning of lawyers and advocates at the mediation level as different from their role at a due process hearing (Budoff and Orenstein, 1985, Chapter 9). In their observation of 50 mediations and interviews with the participants, these authors noted that parents usually speak for themselves in mediations rather than let an attorney do all the talking as is common in due process hearings. They also comment that mediation involves parents more actively in the settlement of the dispute. Some states mention that the presence of attorneys in mediation meetings is discouraged. This is true in Delaware, but if the parties insist on having attorneys present, the mediator makes the final decision.

The issue of lawyers' involvement in mediation was addressed by OSEP in a policy letter in response to an inquiry about the legality of a state using Part B funds to develop a mediation system that denied right to counsel [Letter to Decker, 19 *IDELR* 279 (1991)]. OSEP stressed the voluntary nature of mediation and explained that the determination of appropriate mediation procedures is a state responsibility since Part B does not provide specific requirements for the mediation process. The letter concluded that it is legitimate for an SEA to use federal funds to pay for a mediation system that does not give parents the right

to be accompanied to meetings by an attorney or an advocate as long as the parent is advised "that mediation is a *voluntary* step prior to a due process hearing."

Number of Mediations Held

It is extremely difficult to get an accurate picture of the number of special education mediations held in any one year. The nature of the identification and placement process in special education requires that numerous decisions be made by school personnel and parents before the student's program can be put in place. These decisions can involve the application of laws and policies as well as educational judgments, and negotiations and compromises are often made before agreement on an educational plan is reached. Although these activities could not be called mediations in the strict sense of that term, they sometimes involve assistance from third parties such as attorneys or advocates to settle a point or assist in deliberations. There may also be assistance by state personnel involving strategies such as telephone consultation on conflict resolution. No attempt is ever made to capture a record of such activities. In addition, the survey revealed that there is a high incidence of what states describe as "informal mediation" going on at the school district level (see page 6) that is not documented or included in state-level statistics. These informal procedures must be kept in mind when making any assessment of the due process system. Therefore, the discussions in this report that refer to the incidence of mediation should be interpreted as representing formal mediation procedures and, as such, they are an incomplete picture of the prehearing dispute efforts in states.

The interpretations of these data must also take into consideration another difference among states. The survey form noted that respondents could use either fiscal or calendar years, depending on the time periods they normally use to compile their data. This instruction was given to avoid imposing on state personnel the burden of refiguring their data to isolate statistics for a different division of time. There is variation among the states in the definition of a fiscal year: some use the federal period of October 1st to September 30th, others use a more traditional period of July 1st through June 30th, and still others have designated the calendar year as their fiscal year. Therefore, the figures in this study may refer to slightly different intervals, although the period of one year is consistent and the overall time covered is approximately the same.

Data on the number of mediations held can be viewed from a variety of perspectives. One pattern is illustrated in Table 3 (divided into sections marked A, B, and C) that contains the number of mediations held for the years 1991, 1992 and 1993 divided by small, medium and large states. (The criteria used to place states in these categories is explained in the Method section on page 4.) There is no consistent pattern revealed by these comparisons. For example, between 1991 and 1992, all of the large states showed an increase in the

Table 3
Mediations Held

A. Large Size States

STATE	1991	1992	1993
CA	545	656	793
FL*	0	1	4
IL	139	156	132
NY	nd	nd	12
OH	18	22	26
PA	50	55	55
TX	46	116	80

B. Small Size States

STATE	1991	1992	1993
HI	18	18	19
ID	1	6	9
MT	1	3	1
NV	4	4	1
NH	25	24	17
ND	1	0	1
RI	38	24	49
SD	11	17	6
VT	15	27	20
WY	2	1	4

nd = no data provided

C. Medium Size States (presented in the two tables below)

STATE	1991	1992	1993
AL	10	10	10
AZ	14	4	11
AR	5	7	27
CO	3	10	22
CT	90	76	88
GA	27	26	37
IN	28	32	34
IA	12	8	5
KY	3	3	4
LA	5	4	3

STATE	1991	1992	1993
ME	20	15	27
MD	8	5	4
MA	799	805	768
MI	16	12	15
MN	started 1993		19
NJ	160	139	141
OK	nd	nd	nd
OR	12	11	10
TN	7	22	21
UT	8	8	12

Source Responses to Item 13 of Survey on Selected Features of State Due Process Procedures (See Appendix A)

number of mediations, but only about half of them registered an increase between 1992 and 1993. Half of the small states reported an increase in mediations for both periods, but the increases did not occur in the same states for the two comparisons. The picture is even more mixed in the medium size states: for those reporting data, one third had an increase from 1991 to 1992, while two-thirds increased from 1992 to 1993.

Another view of due process statistics is contained in Table 4. Each state that has a mediation system is listed with the number of children served under special education in the 1991-92 school year, along with the number of mediations reported for the year 1992, the number of due process hearings requested and the number of hearings held.

Table 4
Mediations and Hearings in 1992 For States With Mediation Systems

State	Children Served 1991-92*	Mediations Held 1992**	Hearings Requested 1992**	Hearings Held 1992**
AL	95,021	10	44	10
AZ	59,281	4	nd	5
AR	45,573	7	15	2
CA	489,716	656	772	72
CO	55,430	10	27	3
CT	61,851	76	195	56
FL	243,546	1	43	12
GA	105,206	26	48	9
HI	13,220	18	23	7
ID	21,654	6	2	1
IL	201,987	156	507	133
IN	110,943	32	59	19
IA	60,016	8	25	5
KY	78,967	3	34	8
LA	74,437	4	7	3
ME	26,908	15	35	10
MD	88,069	5	40	19

State	Children Served 1991-92*	Mediations Held 1992**	Hearings Requested 1992**	Hearings Held 1992**
MA	136,640	805	343	111
MI	156,828	12	34	14
MT	17,560	3	4	2
NV	19,957	4	31	6
NH	19,276	24	80	16
NJ	178,324	139	550	162
NY	306,511	nd	500	500
ND	11,886	0	4	2
OH	202,156	22	49	12
OK	67,209	nd	83	16
OR	47,101	11	43	5
PA	190,791	55	256	106
RI	20,582	24	20	2
SD	14,609	17	19	6
TN	107,918	22	58	19
TX	353,120	116	134	nd
UT	47,317	8	8	1
VT	9,500	27	25	9
WY	11,446	1	3	3

nd = no data provided

*Source: *Fifteenth Annual Report to Congress on the Implementation of the Individuals With Disabilities Education Act*, 1993. Table AA10: Number of children served under IDEA, Part B by age group during the 1991-92 school year.

**Source: Responses to Items 13, 15, and 16 of *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

Some measure of the impact of mediation and other conflict resolution strategies can be deduced from a review of the number of mediations held, and the difference between the number of hearings requested and the number of hearings held. This is especially obvious in California where, in 1992, only 72 formal due process hearings were held out of a total of 772 requested. Clearly, the use of mediation—656 cases in 1992—provides the overwhelming source of dispute settlement. The picture is similar in Massachusetts where only 15 percent of the mediations do not produce an agreement and result in a request for a

due process hearing. A hearing did not take place for two-thirds of the 1992 requests in Massachusetts, most likely indicating a tendency toward a negotiated resolution even after the formal mediation sessions have ended.

Another statistic requested on the survey was the percent of mediations that did not reach an agreement and that resulted in a request for a due process hearing. Although many states were not able to provide this figure, the responses from those who could are contained in Table 6. They ranged from 0 to 55 percent and, in some cases, there were annotations explaining exceptional situations that made it difficult to compute this percent. For example, some noted differences in years and others remarked on the variety of outcomes such as the dismissal of cases that might be counted as not resulting in an agreement. Michigan is an example of a state that described a unique situation: in that state the Office of Special Education requires that a written request for a due process hearing be filed before the parties are eligible to use mediation by the state mediation system.

Table 5
Percent of Mediations Not Resulting in Agreement

Percent	States
0%	FL, HI, KY, LA, MT, NY, ND, WY
1% to 10%	CA, CT, GA, MN, NV, OR, RI, UT
11% to 25%	AZ, AR, IL, IA, MA, MD, ME, OH, PA, TX
26% to 40%	ID, IN, NJ
41% to 55%	SD, VT

Source: Responses to Item 14 of *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

Effectiveness of Mediation Systems

Although some studies have been carried out to assess the impact of due process hearing procedures, very little research has been done on the subject of mediation of disputes involving students with disabilities. A full discussion of this topic is beyond the scope of this paper. However, a brief examination of some of the studies that do exist will be used as a background for a review of state responses to the two survey items related to states' assessment of the effectiveness of their mediation systems.

Published Research

The use of procedural safeguards rapidly became a controversial issue shortly after the initial implementation of the IDEA that had been passed by the Congress in 1975. The late 1970s and early 1980s brought a surge of interest in mediation as an alternative to counteract the perceived disadvantages of the litigious due process hearing. The Justice Center of Atlanta JCA) was established in 1977 as a part of a U. S. Department of Justice project to experiment with various alternatives to litigation (Dobbs, Primm and Primm, 1991). Starting in Georgia and then branching out to many other states, the JCA provided early leadership in this field. As mentioned above (see page 7), the JCA has continued to be a frequent source of training and its certification program is widely used by states for their mediators. Working closely with the Georgia Department of Education and other states, the JCA has also provided the most comprehensive evaluation data on the use and effects of mediation in special education. Their studies have concluded that, while mediation is "not a panacea," it has many significant advantages over the due process hearing in areas such as speed, cost, opportunity for full discussion by all parties, and its more positive effects on opening channels of communication between parents and educators.

Singer and Nace (1985) did a case study of mediation in Massachusetts and California that included an observation of four mediations and interviews with participants. They discussed the unique features of the context of special education that appear to contribute to the success of mediation. These include the continuing relationship between the disputants (since special education services remain available to the student through age 21), the focus on the future rather than the past as the subject of the mediation, the perceived burden of the due process hearing, and the existence of active advocacy groups to assist parents throughout the process. They identified some negative elements such as some parents feeling overwhelmed by the large number of professional educators at the sessions, and the perception of some parents that the school had more power.

The Massachusetts mediation system was the subject of another extensive study (Budoff & Orenstein, 1985) that involved the researchers attendance at 42 mediation sessions and interviews with all the participants as well as additional information gathering from state mediation staff. These authors describe mediation as a powerful, inexpensive and quickly applied technique for addressing conflict. They concluded that mediation is perceived by parents as fair, and they emphasized the importance of early and timely intervention through the use of informal negotiation contacts between parents and school staff to contain a conflict at the level of the school district (Chap. 10, p. 9).

A study done at the University of Kansas (Mediation Project) in 1987 resulted in a finding that there are significantly lower emotional costs to parents who take part in mediation over those who are involved in a hearing, but it was observed that mediation was not living

up to its potential as an effective method of conflict resolution because of incomplete implementation and other factors. The study report also noted the lack of standardization among states limiting the generalizations that can be made from any research on the topic.

The previous survey done by NASDSE has already been mentioned (see page 5). It documented the rapid growth in the use of mediation and discussed some of the variation among state mediation systems.

A more recent study was done by the Bazelon Center (Patino, Walsh and Ricci, 1994) on the use of mediation in Part H programs. The authors reported that 30 states have mediation available, and that 26 have informal procedures in place to assist in the resolution of issues before they become disputes. As already noted for Part B programs, the JCA has provided many states with training and support for these mediation programs.

Survey Responses on the Evaluation of Mediation Systems

Individual states have performed some evaluations of their mediation systems, but very little in the way of documentation is available. Illinois includes data on its mediation system in each Annual Report, and three employees of the Illinois State Board of Education published a very positive review of their system in an issue of the National Institute of Dispute Resolution *Forum* (Crowley, Smith & David, 1991). Other states provided departmental reports for various periods containing statistics on numbers of mediations and rates of settlement. California reported on their experience in the 1990-1992 period: of 993 requests for mediation, 851 were successfully resolved and only 142 went to hearing. Anecdotal evidence that parents and schools were more satisfied with mediated rather than adjudicated decisions was also noted. However, it is reasonable to assume that disputes settled by adjudication were more difficult than those settled through mediation. Indiana described similar success and included overwhelmingly positive sample comments from the evaluation forms completed by participants at the end of each mediation. Florida also commented that, although responses to their evaluation forms have not been tabulated, they have been very favorable.

Survey Responses on the Costs of Mediation

The survey revealed that very few states have collected data on the costs of mediation and even fewer have analyzed or reported on this data. One exception is Michigan where some cost studies have been done to assist in making continuation decisions about the mediation program. The most recent study reviewed cost data for mediations and for hearings for the period from 1987 to 1993 and concluded that the Michigan Special Education Mediation Service (MSEMS) mediations have saved the state and its school districts over one million dollars during the previous seven years.

The Texas Education Agency in its newsletter reviewed the first two years of its revised mediation program—1992 to 1994. The director noted that a single hearing costs approximately \$60,000 for a school district, while a dispute handled through mediation costs the state only about \$1,000 and is provided at no cost to the parents or the school district. The report concluded that special education mediation has saved the state, school districts and taxpayers an estimated five million dollars in the last two years.

Other states have attributed similar significant savings to their mediation systems. California estimates the cost of a successful mediation at 13 percent of the cost of a due process hearing. Tennessee calculated the average cost of a mediation session as \$452.63, and Indiana reported that the average cost of a mediation is about \$350.

Without exception, state personnel proclaimed significant advantages for mediation over due process hearings not only in terms of lower costs, but also in the more positive effects on interrelationships when mediation is used in the settlement of disputes between parents and schools.

FINDINGS: DUE PROCESS HEARINGS

With few exceptions, states were able to provide statistics in response to survey items that asked for numbers of hearings requested, held and appealed for the years 1991, 1992 and 1993. The data is displayed in Table 6. In some states, data concerning appeals of hearing decisions to state or federal court are not provided to the department of education.

Table 6
State Due Process Hearings 1991, 1992, 1993

STATE	HEARINGS REQUESTED			HEARINGS HELD			APPEALS TO COURT		
	1991	1992	1993	1991	1992	1993	1991	1992	1993
AL	27	44	53	10	10	19	1	2	2
AK	4	2	0	4	2	0	1	0	nd
AZ	nd	nd	nd	7	5	7	nd	1	1
AR	46	15	39	6	2	13	0	1	0
CA	611	772	849	74	72	58	18	15	10
CO	16	27	26	4	3	2	1	0	0

STATE	HEARINGS REQUESTED			HEARINGS HELD			APPEALS TO COURT		
	1991	1992	1993	1991	1992	1993	1991	1992	1993
CT	227	195	278	51	56	77	8	5	8
DE	7	10	5	2	4	3	1	0	0
FL	37	43	31	12	12	17	nd	nd	nd
GA	28	48	57	10	9	24	1	0	2
HI	22	23	25	6	7	6	1	1	0
ID	8	2	6	1	1	2	1	0	nd
IL	466	507	393	130	133	105	nd	nd	nd
IN	82	59	62	32	19	17	0	1	3
IA	32	25	28	6	5	5	0	0	1
KS	nd	nd	31	8	4	11	0	0	0
KY	33	34	50	7	8	9	1	1	0
LA	6	7	20	3	3	7	0	0	1
ME	53	35	64	22	10	23	6	1	2
MD	26	40	50	16	19	46	0	7	14
MA	379	343	458	95	111	89	6	3	2
MI	42	34	33	14	14	19	1	3	1
MN	4	19	16	4	0	3	0	0	0
MS	2	4	23	2	4	10	nd	nd	nd
MO	nd	nd	nd	5	5	7	nd	nd	nd
MT	6	4	10	1	2	3	1	2	0
NE	14	9	3	7	3	1	4	1	0
NV	14	31	28	2	6	5	0	0	0
NH	77	80	74	20	16	15	nd	nd	nd
NJ	643	555	740	nd	nd	176	nd	nd	nd
NM	2	5	9	0	0	1	0	0	0
NY	465	500	609	465	500	609	nd	nd	nd
NC	14	24	14	2	3	2	0	1	0

STATE	HEARINGS REQUESTED			HEARINGS HELD			APPEALS TO COURT		
	1991	1992	1993	1991	1992	1993	1991	1992	1993
ND	2	4	3	0	2	0	1	0	0
OH	47	49	51	12	12	10	4	4	2
OK	99	83	19	33	16	5	nd	2	1
OR	26	43	56	5	5	7	nd	nd	nd
PA	264	256	213	112	106	78	6	1	2
RI	32	20	25	6	2	4	0	1	3
SC	1	5	3	1	5	3	0	0	0
SD	16	19	6	3	6	1	0	2	0
TN	40	58	56	nd	19	12	nd	nd	nd
TX	131	134	118	nd	nd	nd	2	3	1
UT	7	8	5	1	1	0	0	1	0
VT	12	25	22	1	9	7	0	2	2
VA	nd	63	66	nd	25	39	nd	nd	nd
WA	nd	nd	nd	19	64	72	5	13	26
WV	29	34	28	4	5	8	nd	nd	nd
WI	24	23	25	5	8	9	1	1	0
WY	2	3	1	2	3	1	0	0	0

*nd = no data submitted.

Responses to items 15, 16 and 18 of the *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

As shown in Table 7, states are evenly split in the design of their systems as one or two tiered. In a two-tiered system, the initial hearing is at a local or county level with appeal or review available at the state (SEA) level. One-tiered states have a single hearing process provided by the state either directly or through a contract arrangement. An appeal to court after exhausting administrative remedies is an available option for all types of hearing systems.

Table 7
Timelines in State Due Process Systems

STATE	TYPE OF SYSTEM	TIMELINE FOR APPEAL TO THE SEA	TIMELINE FOR APPEAL TO COURT
AL	1 tier	not applicable	30 days
AK	2 tier	30 days	none
AZ	2 tier	35 days	none
AR	1 tier	not applicable	none
CA	1 tier	not applicable	90 days
CO	2 tier	30 days	none
CT	1 tier	not applicable	45 days
DE	1 tier	not applicable	30 days
FL	1 tier	not applicable	30 days
GA	1 tier	not applicable	none
HI	1 tier	not applicable	30 days
ID	1 tier*	not applicable	28 days
IL	2 tier	30 days	120 days
IN	2 tier	30 days	30 days
IA	1 tier	not applicable	none
KS	2 tier	30 days	30 days
KY	2 tier	30 days	none
LA	2 tier	15 days	30 days
ME	1 tier	not applicable	30 days
MD	2 tier	45 days	180 days
MA	1 tier	not applicable	30 days
MI	2 tier	none	none
MN	2 tier	30 days	none
MS	1 tier	not applicable	none
MO	2 tier	30 days	30 days
MT	1 tier	not applicable	none

STATE	TYPE OF SYSTEM	TIMELINE FOR APPEAL TO THE SEA	TIMELINE FOR APPEAL TO COURT
NE	1 tier	not applicable	30 days
NV	2 tier	none	none
NH	1 tier	not applicable	120 days
NJ	1 tier	not applicable	45 days
NM	2 tier	30 days	none
NY	2 tier	30 days	30 days
NC	2 tier	30 days	30 days
ND	1 tier	not applicable	none
OH	2 tier	none	none
OK	2 tier	30 days	none
OR	2 tier	none	none
PA	2 tier	none	none
RI	2 tier	none	none
SC	2 tier	10 days	10 days
SD	1 tier	not applicable	none
TN	1 tier	not applicable	none
TX	1 tier	not applicable	2 years
UT	2 tier	30 days	30 days
VT	1 tier	not applicable	90 days
VA	2 tier	none	none
WA	1 tier	not applicable	30 days
WV	1 tier	not applicable	120 days
WI	2 tier**	45 days	45 days
WY	1 tier	not applicable	30 days

*Changed from 2 tier to 1 tier in 1992.

**Considering change from two-tier to one-tiered system.

Responses to Items 19, 20 and 21 of the *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

Non-State Jurisdictions

There are 10 geographical entities usually referred to as jurisdictions or territories that, although they are not states, are subject to the requirements of federal education laws and regulations. Responses to the survey were received from only three: American Samoa (AS), the District of Columbia (DC), and Puerto Rico (PR).² Only American Samoa reported that they did not have a state mediation system. Responses by the two remaining jurisdictions to mediation items on the survey are displayed in Table 8.

Table 8
Mediation Data from DC and PR

Location	Mediation Start	Mediations Held		
		1991	1992	1993
District of Columbia	1984	35	40	24
Puerto Rico	1991	na	no data	20

Responses to Items 2 and 13 of the *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

The District of Columbia was the only survey respondent indicating that mediators had to be trained in social work. DC has developed very specific qualifications and job descriptions for the positions of Social Worker (Mediation) and Bilingual Social Worker (Mediation). Also, DC was the only survey respondent to reply that attorneys never participate in mediations for either parents or schools. They did indicate that advocates sometimes accompany parents to mediation sessions.

The three responding jurisdictions provided information on hearings for the periods requested. Their responses are contained in Table 9.

²The others are the Bureau of Indian Affairs, Guam, the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and the Virgin Islands.

Table 9
Due Process Hearings Data from AS, DC, and PR

Jurisdiction	Hearings Requested			Hearings Held			Appeals to Court		
	1991	1992	1993	1991	1992	1993	1991	1992	1993
American Samoa	0	0	0	0	0	0	0	0	0
District of Columbia	576	588	624	342	334	363	nd	nd	5
Puerto Rico	nd	nd	211	nd	nd	nd	0	0	1

nd = no data submitted

Responses to items 15, 16 and 18 of the *Survey on Selected Features of State Due Process Procedures* conducted by the National Association of State Directors of Special Education, 1994.

DISCUSSION AND CONCLUSIONS

All of the opinions expressed in the literature and by state personnel who provided data for this report strongly favored the use of mediation as an effective mechanism for implementing the procedural safeguards of federal special education statutes. Even the popular press echoed this sentiment. When the Budoff and Orenstein (1985) study of mediation in Massachusetts was released, *The Washington Post* (August 17, 1985) wrote a lead editorial that concluded, "The informal resolution of disputes involving the deepest of emotions and special needs of families with handicapped children is far preferable to the rigors of a legal battle. Mediation is the right tool. It should be encouraged." Similarly, Goldberg and Kuriloff (1991) noted that, despite the almost universally negative feeling about due process hearings among parents and school personnel, every participant in their study agreed that the opportunity for due process should be kept in place. The study concluded that the need is to find ways to prevent disputes from getting the level of court proceedings.

At present there is no policy in place that requires the compilation of national data on the implementation and outcomes of due process procedures, nor is there any requirement that states evaluate their strategies for due process protections. Some states have made a start in the direction of compiling information about their programs, but there is a need to establish a national database and a mechanism for gathering this information. An analysis of such data could provide more accurate insights into the success and failures of mediation and other dispute resolution strategies, and suggest ways that improvement could be achieved. Similarly, there is no existing mechanism for states to pool information about successful

practices or share data with one another to seek solutions to common problems. The opportunity to disseminate effective methods would encourage their adoption and reduce duplication in resolving similar problems.

The solution to the adversariness of existing special education procedures is not a simple one. The introduction to this report refers to the ongoing negotiation that is a part of the entire process of designing and implementing a program for a student with disabilities. However, as noted by the Michigan evaluation report, "Skills of dispute prevention are not typically a part of teacher or administrator training." Yet, the provision of such training is essential to any improvement in the status quo. Providing mediation as an alternative conflict resolution mechanism only partially addresses the problem. The negotiation of differences is a potential element in every step of the special education process, and every participant needs to be able to employ problem-solving techniques in activities, such as making decisions about a student's program, in order to avoid the development of disputes. The provision of such training is an essential ingredient in preservice and staff development programs for all educational personnel, and could also be a valuable component in the preparation of parents for full and meaningful participation in the special education process.

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APPENDIX A: SURVEY FORM

NATIONAL ASSOCIATION OF STATE DIRECTORS OF SPECIAL EDUCATION
SURVEY ON SELECTED FEATURES OF STATE DUE PROCESS PROCEDURES

State: _____ Date: _____ Respondent's Name: _____

Title: _____ Phone: _____

MEDIATION

1. This state's procedural safeguards include mediation. ☐ Yes ☐ No
If yes, please write the state's definition of mediation in the space below or attach a copy: _____

If no, please skip to item 15.

2. Mediation procedures have been in place since _____ (mo/yr).
3. Mediation timelines are separate from due process hearing timelines. ☐ Yes ☐ No
4. Who may conduct mediations? *{Please list by role and note if the service is contracted}*

5. Specific qualifications are established for mediators. ☐ Yes ☐ No
{If yes, please provide a copy.}
6. Are mediators provided with training and ongoing support? ☐ Yes ☐ No
{If yes, please describe}

7. Funding source(s) used to pay mediators (please check all that apply):
☐ State funds ☐ IDEA Part B funds
☐ Other (please describe): _____

- 7a. Who/What office is responsible for managing the state mediation process?

8. Cost data are/have been collected for mediation. ☐ Yes ☐ No
{If yes, please provide a copy of any data for the past 3 years.}
9. Data have been collected on the effectiveness of mediation in this state.
☐ Yes ☐ No
{If yes, please provide a copy of the data or reports.}

10. At mediation, parents are represented by -
a) Attorneys: ☐ Always ☐ Sometimes ☐ Never
b) Advocates: ☐ Always ☐ Sometimes ☐ Never
11. At mediation, LEAs are represented by attorneys:
☐ Always ☐ Sometimes ☐ Never
12. Mediation agreements:
a) are issued in writing. ☐ Yes ☐ No
b) may be used in any subsequent due process procedure. ☐ Yes ☐ No
13. Number of mediations held during (fiscal or calendar) years:
1991 1992 1993
14. Percent of convened mediations without agreements that result in a request for a due process hearing: %

DUE PROCESS HEARINGS

15. Number of due process hearings requested during (fiscal or calendar) year:
1991 1992 1993
16. Number of due process hearings held during (fiscal or calendar) year:
1991 1992 1993
17. Number of appeals to the SEA from hearing decisions during (fiscal or calendar) year:
1991 1992 1993
18. Number of appeals to court from hearing decisions during (fiscal or calendar) year:
1991 1992 1993
19. A timeline is established in state regulations for appealing a hearing decision to the SEA. ☐ Yes ☐ No
{If yes, please attach a copy of the regulation.}
20. A timeline is established in state regulations for appealing a hearing decision to State Court. ☐ Yes ☐ No
{If yes, please attach a copy of the regulation.}
21. A timeline is established in state regulations for appealing a SEA-reviewed decision to State Court. ☐ Yes ☐ No
{If yes, please attach a copy of the regulation.}

APPENDIX B: STATE CONTACTS

STATE CONTACTS FOR MEDIATION SURVEY

STATE PERSONNEL:

AL	Terry Longest	205-242-8408
AK	DiAnn Brown	907-465-2972
AZ	Sheila Breecher, J.D.	602-542-3084
AR	Barbara Johnson	501-682-4222
CA	Glenn Fail	916-739-7049
CO	Carol Amon	303-866-6862
CT	Thomas Badway	203-638-4276
DE	Dee Patterson	302-739-4667
FL	Leslie Weaver	904-488-1379
GA	Joan Jordan	404-656-3963
HI	Margaret Donovan	808-737-3720
IA	Dee Ann Wilson	515-281-5766
ID	Nolene Weaver	208-334-3940
IL	Marcia Kelley	217-782-6601
IN	Paul Ash	317-232-0570
KS	Jolene Ruediger	913-296-2450
KY	Rita Byrd	502-564-4970
LA	Beverly Johnson	504-342-3661
MA	Art Stewart	617-388-3300 Ext. 685
MD	R. L. Gamble, Sr.	410-333-2450
ME	Michael Opuda	207-287-5974
MI	James Rowell	517-335-0476
MN	Sharon Jaros	612-297-2843
MO	Heidi Atkins Lieberman	314-751-3502
MS	Jamie Stricklin	601-359-3498
MT	Sue Paulson	406-444-5664
NE	Virginia Wright	402-471-2471
NV	Andrea Trow	702-687-3140
NH	Jackie Teague	603-271-3739
	Steve Berwick	603-271-2299
NJ	Dennis Moyer	609-292-7605
NM	Carol Moore	505-827-6541
NY	Frederic DeMay	518-474-5548

NC	Jim Daugherty	919-715-1587
ND	Jan Schimke	701-224-2277
OH	Nabil Sharabi	614-466-2650
OK	John Corpolongo	403-521-4859
OR	Kim G. Kay	503-378-3598
PA	Sam Bashore	717-783-6913
RI	Janice Caporicci	401-277-3505
SC	Carolyn Boney	803-734-8788
SD	Chris McComsey	605-773-3678
TN	Robert Tipps/Steve Raney	615-741-2851
TX	Claudia Knowles	512-463-9290
UT	Mae Taylor	801-538-7711
VA	Austin Tuning	804-225-2847
VT	Susan Boyd	802-485-6223
WA	Cathy Fromme	206-753-6733
WV	Chloe Hollinger	304-558-2696
WI	Elliot Weiman	608-266-3648
	Anita Heisig	608-267-9167
WY	Hank Buseck	307-777-5847

JURISDICTIONS THAT RESPONDED:

AS	Jane French	011-684-633-1323
DC	B. Garrett Pinkney	202-724-4800
PR	Adela Costa	809-759-7228